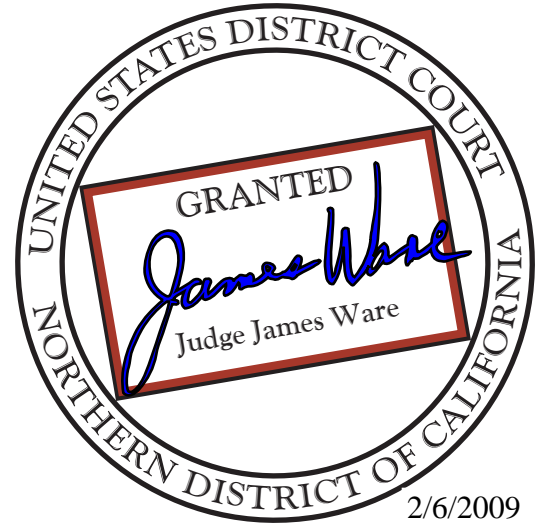


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APPLE INC.



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAMES R. PITTMAN, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

APPLE INC., a California Corporation

Defendant.

Case No. C-08-05375 JW

**STIPULATION EXTENDING
TIME TO RESPOND TO
COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, that Defendant Apple Inc.'s time to
move, answer or otherwise respond to the complaint filed in the above-captioned matter is hereby
extended to and including February 27, 2009.

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1 Dated: January 27, 2009

MORRISON & FOERSTER LLP

2
3 By: /s/ Penelope A. Preovolos
4 Penelope A. Preovolos

5 Attorneys for Defendant
6 APPLE INC.

7 Dated: January 27, 2009

LITIGATION LAW GROUP

8
9 By: /s/ Gordon M. Fauth, Jr.
10 Gordon M. Fauth, Jr.

11 Attorneys for Plaintiff
12 JAMES R. PITTMAN

13
14 I, Penelope A. Preovolos, am the ECF User whose ID and password are being used to file
15 this Declaration. In compliance with General Order 45, section X.B., I hereby attest that I have
16 on file the concurrences for any signatures indicated by a "conformed" signature (/s/) within this
17 efiled document.
18

19 By: /s/
20 Penelope A. Preovolos